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10/608,437

06/30/2003

Vladimir Sadovsky

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(c/o MICROSOFT CORPORATION)

INTELLECTUAL PROPERTY DEPARTMENT

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KANSAS CITY, MO 64108-2613

EXAMINER

POPOVICI, DOV

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/608,437

Applicant(s)

SADOVSKY ET AL.

Examiner

Dov Popovici

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2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Dov Popovici*

DOV POPOVICI  
PRIMARY EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 19-28 are objected to because of the following informalities:

In claim 19, line 5, “;” should be ---. (Applicant is kindly reminded that a claim should start with a capital letter and end with a period).

Claims 20-28 are objected to because they are dependent on objected to independent claim 19.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Barsness et al. (U.S. Patent Application Publication Pub. No. US 2003/0072488 A1).

As to claim 1, Barsness et al. discloses a method for managing digital images, the method comprising: establishing a connection between a computing device (120) and an image capturing device (110) (see figure 1); defining a set of rules pertaining to an image using the computing device (i.e., if the object in the image is Grandpa,

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emailing the image to Grandpa and/or store the image according to the recognized objects); and applying the set of rules from the computing device to the image captured by image capturing device, such that the set of rules governs actions performed upon the captured image (i.e., if the object in the image is Grandpa, the action performed is emailing that image to Grandpa and/or storing the image according to the recognized object, see pages 3-4, paragraph 0043, page 3, paragraphs 0037, 0038, page 1, paragraphs 0008, figures 1, 4-6).

As to claim 2, Barsness et al. discloses further comprising embedding at least one rule in the captured image (reads on: if the defined object in the image is Grandpa, Uncle, i.e., such as people, reads on embedding at least one rule in the captured image, see page 3, paragraph 0037, and figures 11-12).

As to claim 3, Barsness et al. discloses further comprising transferring the captured image to a receiving computing system (see figure 1) and storing the captured image in accordance with an accompanying rule (see pages 3-4, paragraph 0043 and figure 10).

As to claim 4, Barsness et al. discloses further comprising allowing a user to include a placement rule within the set of rules for determining a storage location for a captured image (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 5, Barsness et al. discloses further comprising allowing a user to include an enhancement rule within the set of rules for optimizing the appearance of the captured image (see figure 8, page 3, paragraph 0043).

As to claim 6, Barsness et al. discloses further comprising allowing a user to include a rights management rule within the set of rules for restricting access to the captured image (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 7, Barsness et al. discloses further comprising allowing a user to define the set of rules using rules editing and configuration tools (see page 3, paragraphs 0037, 0038, and see figure 5, 8, 9, 10-12).

As to claim 8, Barsness et al. discloses further comprising associating the placement rule with captured image content (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 9, Barsness et al. discloses further comprising transferring the captured image, analyzing the captured image according to image content and storing the captured image in accordance with the placement rule (see figure 1, see figures 4-6, and see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 10, Barsness et al. discloses a system for managing digital images, the system comprising: a rules engine that allows a user to configure a set of image rules for controlling images captured by an image capturing device (110); and connectivity tools for establishing a connection between the rules engine and the image capturing device and for transferring the images from the image capturing device and allowing application of the set of image rules to the images (i.e., if the object in the image is Grandpa, the action performed is e-mailing that image to Grandpa and/or storing the image according to the recognized object, see pages 3-4, paragraph 0043, page 3, paragraphs 0037, 0038, page 1, paragraphs 0008, figures 1, 4-6).

As to claim 11, Barsness et al. discloses wherein the rules engine is located on a computing device including a user interface and rules editing and configuration tools for assisting a user in creating the set of image rules (see figures 1, 4, 5, 6 and page 3, paragraphs 0037-0038 and pages 3-4, paragraph 0043).

As to claim 12, Barsness et al. discloses wherein the rules engine is located on a first computing device (120) and the system further includes a receiving mechanism on a receiving computing device (120) for receiving captured images from the image capturing device (110).

As to claim 13, Barsness et al. discloses wherein the receiving computing device (120) is the same as the first computing device (120).

As to claim 14, Barsness et al. discloses wherein the receiving computing device (120) receives captured images and interprets associated rules in order to determine

actions to be performed on the captured images (see figures 4-6, and page 3, paragraphs 0037-0038 and pages 3-4, paragraph 0043).

As to claim 15, Barsness et al. discloses wherein the set of image rules includes a placement rule for determining a storage location for a captured image (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 16, Barsness et al. discloses wherein the set of image rules includes an enhancement rule for optimizing the appearance of a captured image (see figure 8, page 3, paragraph 0043).

As to claim 17, Barsness et al. discloses wherein the set of image rules includes a rights management rule for restricting access to a captured image (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 18, Barsness et al. discloses comprising a content filter for evaluating the placement rule based on captured image content (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 19, Barsness et al. discloses a method for managing digital images, the method comprising: defining a set of rules (defining objects) using a computing device; receiving a set of transferred images from an image capturing device; and

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applying the set of rules from the computing device to the set of transferred images from the image capturing device (i.e., if the object in the image is Grandpa, the action performed is e-mailing that image to Grandpa and/or storing the image of Grandpa according to the recognized object in Grandpa file, see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person, and see pages 3-4, paragraph 0043, page 3, paragraphs 0037, 0038, page 1, paragraphs 0008, figures 1, 4-6).

.As to claim 20, Barsness et al. discloses further comprising storing at least one rule in an associated captured image (reads on: if the defined object in the image is Grandpa or Uncle, i.e., such as people, it reads on: storing at least one rule (object are people) in an associated captured image, see page 3, paragraph 0037, and figures 11-12).

As to claim 21, Barsness et al. discloses further comprising transferring a captured image to a receiving computing system (120) and storing the captured image in accordance with an accompanying rule (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 22, Barsness et al. discloses further comprising allowing a user to include a placement rule within the set of rules, wherein the placement rule determines a storage location for an associated captured image (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).



As to claim 23, Barsness et al. discloses further comprising allowing a user to include an enhancement rule within the set of rules, wherein the enhancement rule optimizes an appearance of an associated captured image (see figure 8, page 3, paragraph 0043).

As to claim 24, Barsness et al. discloses further comprising allowing a user to include a rights management rule within the set of rules, wherein the rights management rule restricts access to an associated captured image (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 25, Barsness et al. discloses further comprising allowing a user to define the set of rules using rules editing and configuration tools (see page 3, paragraphs 0037, 0038, and see figure 5, 8, 9, 10-12).

As to claim 26, Barsness et al. discloses further comprising associating the placement rule with captured image content (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 27, Barsness et al. discloses further comprising transferring the associated captured image, analyzing the associated captured image according to image content, and storing the associated captured image in accordance with the placement rule (see figure 1, see figures 4-6, and see pages 3-4, paragraph 0043 and

figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 28, Barsness et al. discloses further comprising establishing a wireless connection for wireless transfer of the captured image (see page 2, paragraph 0031).

As to claim 29, Barsness et al. discloses a method for managing captured images stored on a computing device, the method comprising: receiving at least one captured image associated with an image rule at the computing device; interpreting the associated image rule at the computing device; and managing the captured image in accordance with the associated image rule (i.e., if the object in the image is Grandpa, the action performed is e-mailing that image to Grandpa and/or storing the image of Grandpa according to the recognized object in Grandpa image storing file, see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person, and see pages 3-4, paragraph 0043, page 3, paragraphs 0037, 0038, page 1, paragraphs 0008, figures 1, 4-6).

As to claim 30, Barsness et al. discloses further comprising receiving the captured image over a wireless connection at the receiving computing device (see page 2, paragraph 0031).

As to claim 31, Barsness et al. discloses wherein interpreting the associated image rule comprises determining placement of the captured image (see pages 3-4,

paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 32, Barsness et al. discloses wherein managing the captured image comprising storing the captured image in a pre-selected file (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 33, Barsness et al. discloses wherein interpreting the associated image rule comprises determining enhancement of the captured image (see figures 8 and 11-12).

As to claim 34, Barsness et al. discloses wherein managing the captured image comprises enhancing image quality of the captured image (see page 3, paragraph 0043, and page 4, paragraphs 0044-0045).

As to claim 35, Barsness et al. discloses wherein interpreting the associated image rule comprises interpreting rights management instruction (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 36, Barsness et al. discloses wherein managing the captured image comprises restricting access to the captured image to authorized users (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that

contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 37, Barsness et al. discloses further comprising allowing a user to set the associated image rule prior to image capture (see page 3, paragraph 0038).

As to claim 38, Barsness et al. discloses further comprising allowing a user to set the associated image rule subsequent to image capture (see page 3, paragraphs 0037-0038 and 0043).

As to claim 39, Barsness et al. discloses a system for managing captured images, the system comprising: an image transfer engine within an image capturing device (110) for transferring a captured image; an image acquisition engine (120) for receiving the captured image; and a rules engine (see figures 4-6) for interpreting an associated rule in order to manage the captured image in accordance with the associated rule (i.e., if the object in the image is Grandpa, the action performed is e-mailing that image to Grandpa and/or storing the image of Grandpa according to the recognized object in Grandpa image storing file, see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person, and see pages 3-4, paragraph 0043, page 3, paragraphs 0037, 0038, page 1, paragraphs 0008, figures 1, 4-6).

As to claim 40, Barsness et al. discloses wherein the associated rule comprises a placement rule for determining placement of the captured image (see pages 3-4, paragraph 0043 and figure 10, i.e., any image that includes a particular person may be stored in a directory that contains only images that contain that person).

As to claim 41, Barsness et al. discloses wherein the associated rule comprises an enhancement rule for determining enhancement of the captured image (see figure 8, page 3, paragraph 0043).

As to claim 42, Barsness et al. discloses wherein the associated rule comprises a rights management rule (see figures 13-18, i.e., e-mailing the images only to recognized individuals that are contained within the image or any image that includes a particular person may be stored in a directory that contains only images that contain that person, see page 3, paragraphs 0037, 0038 and 0043).

As to claim 43, Barsness et al. discloses further comprising rules editing and acquisition tools for allowing a user to set the associated rule (see page 3, paragraphs 0037, 0038, and see figure 5, 8, 9, 10-12).

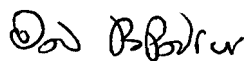
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dov Popovici whose telephone number is 571-272-4083. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Primary Examiner  
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